

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

KEITH JOHNSON, COLBY GOROG,  
JOSHUA FLINT, LOUIS ROBINSON, and  
MICHAEL LERRO, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

ELON MUSK, TESLA, INC., and  
DOGECHOIN FOUNDATION, INC.

Defendants.

Civil Action No.: 1:22-cv-05037-AKH

**ORAL ARGUMENT REQUESTED**

**NOTICE OF DEFENDANT DOGECHOIN FOUNDATION, INC.'S MOTION TO  
DISMISS THE SECOND AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that pursuant to the accompanying Memorandum of Law in Support of Defendant Dogecoin Foundation, Inc.'s Motion to Dismiss the Second Amended Class Action Complaint, the undersigned will move this Court, before the Honorable Alvin K. Hellerstein, at the Daniel Patrick Moynihan United States Courthouse, Courtroom 14D, 500 Pearl Street, New York, New York, at a date and time determined by the Court, for an Order dismissing the Second Amended Class Action Complaint with prejudice and granting other further relief as the Court may deem just and proper.

As set forth in the Stipulation and Order for Extension of Time to File Responsive Pleading dated February 14, 2023 (ECF No. 53), Plaintiffs shall file any opposition to this motion by May 31, 2023 and any reply shall be filed by July 18, 2023.

Dated: New York, NY  
March 31, 2023

Respectfully Submitted,

By: /s/ Seth L. Levine

Seth L. Levine

Chad P. Albert

Steven W. Kessler

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